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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
AIG PROPERTY AND CASUALTY Co.  
as subrogee of Larry and Jane Scheinfeld,

Plaintiff,

-against-

FEDERAL EXPRESS CORPORATION, FEDEX  
CORPORATION, FEDEX CORPORATE SERVICES,  
INC., FEDEX GROUND PACKAGE SYSTEM, INC. and  
IL PELLICANO HOTEL

Defendants.  
\_\_\_\_\_

X

15-CV-6316 (KBF)

CONSENT ORDER TO  
TEMPORARILY STAY  
DISCOVERY PENDING  
RESOLUTION OF  
DEFENDANTS' MOTION TO  
DISMISS

X

This matter came before the court by letter motion on September 11, 2015. It appears to the Court, based on representations of counsel and the entire record in this cause that the Plaintiff and Defendants, Federal Express Corporation, FedEx Corporation, FedEx Corporate Services, Inc. and FedEx Ground Package System, Inc., agree that all discovery in this matter should be temporarily stayed pending resolution of Defendants' Motion to Dismiss (doc. 5), which was filed with the Court on August 18, 2015.

The Motion to Dismiss, if granted, would dispose all matters in controversy between the parties and the parties wish to avoid the burden and costs of conducting potentially unnecessary discovery.

The parties further agree that Plaintiff shall have until October 1, 2015, to file its Response to Defendants' Motion to Dismiss, after which Defendants shall have 10 days to file a Reply.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED, pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, that all discovery in this matter is stayed until the Court issues its ruling on Defendants' Motion to Dismiss now pending before the Court.

Stipulated by the parties on this the 11<sup>th</sup> day of September, 2015.

Plaintiff's Counsel

Defendants' Counsel:

s/William DeVito  
William DeVito  
The Law Offices of Leon R. Kowalski  
12 Metrotech Center, 28th Floor  
Brooklyn, NY 11201

s/Aaron T. Cassat  
Aaron T. Cassat (*pro hac vice*)  
Federal Express Corporation  
3620 Hacks Cross Road  
(901) 434-8477

Adopted by the Court this 14<sup>th</sup> day of September, 2015.

  
\_\_\_\_\_  
JUDGE KATHERINE B. FORREST